



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,295	11/20/2001	Romeo E. Elias		2143

7590 12/01/2005  
Thierry K. Lo  
Thelen Reid 7 Priest LLP  
P.O. Box 640640  
San Jose, CA 95164-0640

EXAMINER

HWANG, JOON H

ART UNIT	PAPER NUMBER
----------	--------------

2166

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/002,295

Applicant(s)

ELIAS ET AL.

Examiner

Joon H. Hwang

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 July 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-20 is/are pending in the application.  
4a) Of the above claim(s) 2 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1 and 3-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The applicants amended claims 1, 4, and 15, canceled claim 2, and added new claims 16-20 in the amendment received on 7/22/05.

The pending claims are 1 and 3-20.

### ***Notes***

2. The examiner called Thierry Lo (Reg. No. 49,097) on 11/18/05 and requested a further assistance for locating supports more specifically from the original disclosure in regard to newly added claim limitations, a newly added figure 2, and newly added specifications 18.1-18.7. However, the examiner has not received any response yet.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1 and 15 have been considered but are moot in view of the new ground(s) of rejection.

The applicants added in claims 1 and 15 the limitations of capturing existing/new knowledge with user-defined templates, abstracting the captured knowledge using meta data, organizing the abstracted captured knowledge, and the indexed database structured according to the abstracted captured knowledge. These limitations are addressed in the following rejection.

### ***Specification***

Art Unit: 2166

4. The amendment filed on 7/22/05 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

- The new figure 2; and
- The new specification sections 18.1-18.7 describing the new figure 2.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1 and 3-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1 and 15 contain the subject matters of capturing existing/new knowledge with user-defined templates, abstracting the captured knowledge using meta data, organizing the abstracted captured knowledge, and the indexed database structured according to the abstracted captured knowledge. However, these subject matters are not supported by the original specification and drawings.

Claims 3-14 are rejected with the same reason above.

Claims 16-20 contain the subject matters directly from the newly added figure 2. As mentioned above, the figure 2 is not supported by the original specification and drawings. Therefore, the subject matters of claims 16-20 are not supported by the original specification and drawings.

***Claim Rejections - 35 USC § 103***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1, 3, and 5-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al. (U.S. Patent No. 6,236,994) in view of Goldman et al. (U.S. Patent No. 6,952,688).

With respect to claim 1, Swartz teaches capturing existing knowledge with user-defined templates in a predetermined format of selected information categories (i.e., capturing stored/existed knowledge information based on a user specified taxonomy/classification hierarchy, lines 32-54 in col. 18, lines 13-47 in col. 4, line 61 in col. 3 thru line 12 in col. 4, and fig. 5). Swartz teaches abstracting the captured knowledge using metadata (i.e., producing metadata, lines 13-47 in col. 4, lines 25-42 in col. 5, lines 56-60 in col. 8, and lines 9-31 in col. 18). Swartz teaches organizing the abstracted captured knowledge into an indexed database of information including links between related information, the indexed database structured according to the abstracted captured knowledge (lines 9-54 in col. 18, lines 11-38 in col. 19, and lines

Art Unit: 2166

15-43 in col. 17). Swartz teaches acquiring new knowledge with the user-defined templates and capturing the new knowledge in the predetermined format (i.e., capturing new/updated knowledge information based on a user-specified taxonomy/classification hierarchy, lines 32-54 in col. 18, lines 13-47 in col. 4, line 61 in col. 3 thru line 12 in col. 4, lines 14-43 in col. 9, lines 33-44 in col. 10, and fig. 5). Swartz teaches updating the database to include the new information and links between the new information and related information (lines 9-54 in col. 18, lines 11-38 in col. 19, lines 15-43 in col. 17, lines 14-43 in col. 9, and lines 33-44 in col. 10). Swartz does not explicitly knowledge information grouped in a plurality of workflows. However, Goldman teaches grouping knowledge information in a workflow (lines 57-65 in col. 1 and lines 36-55 in col. 16) in order to provide facile tools for understanding and developing relationships of knowledge. Therefore, based on Swartz in view of Goldman, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Goldman to the system of Swartz in order to provide facile tools for understanding and developing relationships of knowledge.

With respect to claim 3, Swartz teaches identifying the most critical element of the new knowledge (i.e., identifying a "live" link of knowledge or identifying metadata characterizing the "context" of knowledge information, line 45 in col. 8 thru line 4 in col. 9 and lines 15-27 in col. 17).

With respect to claim 5, Swartz teaches the workflow includes a sequence of steps, wherein each step is linked to at least one other step in chronological or logical manner (lines 48-51 in col. 6).

With respect to claim 6, Swartz teaches the existing knowledge and the new knowledge are presented in a hierarchical tree (lines 33-46 in col. 2 and lines 32-54 in col. 18).

With respect to claim 7, Swartz teaches the existing knowledge and the new knowledge include a plurality of human-based processes (lines 15-43 in col. 17).

With respect to claim 8, Swartz teaches the plurality of human-based processes include business and management processes (lines 15-43 in col. 17)

With respect to claim 9, Swartz teaches the plurality of human-based processes include engineering processes (lines 33-46 in col. 2, lines 56-61 in col. 6, and lines 39-63 in col. 19).

With respect to claim 10, Swartz teaches remotely accessing the indexed database via a network of computers (line 61 in col. 3 thru line 12 in col. 4).

With respect to claim 11, Swartz teaches applying the knowledge to a task and tracking progress on the task (lines 17-26 and 48-51 in col. 6, lines 15-27 in col. 17, and fig. 3).

With respect to claim 12, Swartz teaches annotating the new knowledge (lines 9-12 in col. 3).

With respect to claim 13, Swartz teaches setting up a plurality of criteria associated with the new knowledge, the plurality of criteria modifying the links between the new information and related information based in the plurality of criteria (lines 5-43 in col. 9, lines 22-44 in col. 10, lines 55-67 in col. 18, and lines 1-10 in col. 19).

With respect to claim 14, Swartz teaches the indexed database includes fields defined by the captured knowledge and the new knowledge (fig. 16 and fig. 17).

The limitations of claim 15 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al. (U.S. Patent No. 6,236,994) in view of Goldman et al. (U.S. Patent No. 6,952,688), and further in view of Yost et al. (U.S. Patent No. 6,173,310).

With respect to claim 4, Swartz and Goldman disclose the claimed subject matter as discussed above except providing timely and relevant information to a selected user based on predefined and user-modifiable preferences. However, Yost teaches providing timely and relevant information to a selected user based on predefined and user-modifiable preferences (i.e., providing a scheduled search reporting service to a selected user based on a subscription, abstract, fig. 3, lines 29-67 in col. 4, and lines 1-4 in col. 5) in order to provide personalized information broadcasts of search reports. Therefore, based on Swartz in view of Goldman, and further in view of Yost, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Yost to the system of Swartz in order to provide personalized information broadcasts of search reports.



10. Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiss et al. (U.S. Patent No. 6,484,155) in view of Swartz et al. (U.S. Patent No. 6,236,994).

With respect to claim 16, Kiss teaches a knowledge management system comprising a presentation layer (i.e., presentation layer 103 in fig. 1), a business layer (i.e., a user interface layer 105 in fig. 1) coupled to the presentation layer, a data abstraction layer (i.e., meta agent layer 107 in fig. 1) coupled to the business layer for abstracting, and a database (i.e., a knowledge module 123 in knowledge layer 109 and 111 in fig. 1) coupled to the data abstraction layer. Kiss teaches predetermined hierarchies of knowledge (line 60 in col. 1 thru line 8 in col. 2). Kiss does not explicitly disclose a user-defined template for capturing knowledge. However, Swartz teaches a user-defined template for capturing knowledge (i.e., capturing stored/existed knowledge information based on a user specified taxonomy/classification hierarchy, lines 32-54 in col. 18, lines 13-47 in col. 4, line 61 in col. 3 thru line 12 in col. 4, and fig. 5). Swartz teaches a presentation interfacing with the user-defined template (lines 32-54 in col. 18, lines 13-47 in col. 4, line 61 in col. 3 thru line 12 in col. 4, and fig. 8). Swartz teaches abstracting the captured knowledge (i.e., producing metadata, lines 13-47 in col. 4, lines 25-42 in col. 5, lines 56-60 in col. 8, and lines 9-31 in col. 18). Swartz teaches storing the abstracted captured knowledge using metadata associated with the captured knowledge (lines 9-54 in col. 18, lines 11-38 in col. 19, and lines 15-43 in col. 17). Therefore, based on Kiss in view of Swartz, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of

Swartz to the system of Kiss in order to provide the more efficient use of the knowledge within an enterprise.

With respect to claims 17-18, Kiss does not explicitly disclose a set of blueprints and a set of user modifications. However, Swartz teaches a set of blueprints comprising display, properties, search, and behavior and a set of user modifications comprising data, relationships, rules, and access (lines 33-46 in col. 2, lines 6-22 in col. 3, and lines 13-47 in col. 4). Therefore, the limitations of claims 17-18 are rejected in the analysis of claim 16 above, and these claims are rejected on that basis.

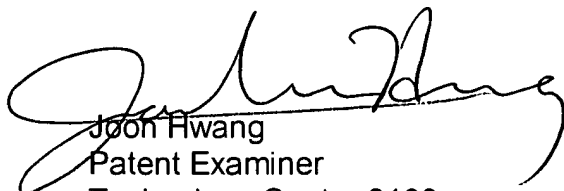
With respect to claim 19, Kiss teaches knowledge management, web analytics, and portal management (i.e., knowledge and www related sites, lines 46-65 in col. 6). Kiss does not explicitly disclose project management, business process management and document management. However, Swartz teaches project management, business process management, and document management (lines 27-41 in col. 6, lines 15-43 in col. 17, lines 39-45 in col. 19, and fig. 5). Therefore, the limitations of claim 19 are rejected in the analysis of claim 16 above, and the claim is rejected on that basis.

With respect to claim 20, Kiss does not explicitly disclose modifying in real-time the data structure of the database based on a change in the user-defined template. However, Swartz teaches modifying in real-time the data structure of the database based on a change in the user-defined template (lines 32-54 in col. 18, lines 13-47 in col. 4, line 61 in col. 3 thru line 12 in col. 4, and fig. 5). Therefore, the limitations of claim 20 are rejected in the analysis of claim 16 above, and the claim is rejected on that basis.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 571-272-4036. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joon Hwang  
Patent Examiner  
Technology Center 2100

11/25/05